

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

SENATE BILL 710
RATIFIED BILL

AN ACT TO MODERNIZE THE ALARMS SYSTEMS LICENSING ACT, MAKE VARIOUS CHANGES TO THE PRIVATE PROTECTIVE SERVICES BOARD LAWS, STRENGTHEN THE OVERSIGHT AUTHORITY OF THE ABC COMMISSION, MODIFY THE LAW REGARDING NOTICE OF CERTAIN VIOLATIONS TO ABC PERMIT HOLDERS, ALLOW REVIEW OF LAW ENFORCEMENT OFFICERS' PERSONNEL RECORDS WHEN TRANSFERRING AGENCIES, REINSTATE G.S. 102-1.1, AND TO MODIFY PROVISIONS REGARDING SUMMARY COURTS-MARTIAL AND THE APPOINTMENT AND SERVICE OF MILITARY JUDGES OF THE NORTH CAROLINA NATIONAL GUARD.

The General Assembly of North Carolina enacts:

PART I. ALARMS SYSTEMS LICENSING ACT MODERNIZATION

SECTION 1.(a) Chapter 74D of the General Statutes reads as rewritten:

"Chapter 74D.

"Alarm-Security Systems.

"Article 1.

"Alarm-Security Systems Licensing Act.

"§ 74D-1. Title.

This act may be cited as the "~~Alarm-~~Security Systems Licensing Act."

"§ 74D-2. License-Business and qualifying agent license requirements.

(a) License Required. – No person, firm, association, corporation, or department or division of a firm, association or corporation, shall engage in or hold itself out as engaging in ~~an alarm-a security~~ systems business without first being licensed in accordance with this Chapter. A department or division of a firm, association, or corporation may be separately licensed under this Chapter if the distinct department or division, as opposed to the firm, association, or corporation as a whole, engages in ~~an alarm-a security~~ systems business. The department or division shall ensure strict confidentiality of private security information, and the private security information of the department or division must, at a minimum, be physically separated from other premises of the firm, association, or corporation. For purposes of this Chapter ~~an "alarm-a~~ "security systems business" is defined as any person, firm, association or corporation that does any of the following:

- (1) ~~Sells-Unless otherwise exempt, sells or attempts to sell an alarm-a security system device-by engaging in a-any personal solicitation at a residence or business-to advise, design, or consult on specific types and specific locations of alarm-security system devices.~~
- (2) ~~Installs, Unless otherwise exempt, installs, services, monitors, or responds to electrical, wireless or hardwired electronic or mechanical alarm signal devices, devices and security systems, integrated automation of a residence or business that includes a security element, burglar alarms, monitored access control, or cameras-cameras, analytic capturing devices, systems providing intelligence or other imaging devices used to detect or observe burglary,~~



breaking or entering, intrusion, shoplifting, pilferage, theft, or other unauthorized or illegal activity. ~~This provision shall not apply to a locking device that records entry and exit data and does not transmit the data in real time to an on-site or off-site monitoring location, provided the installer is duly licensed by the North Carolina Locksmith Licensing Board.~~

...

(c) Qualifying Agent. – A business entity that ~~engages in the alarm systems business~~ is required to be licensed under this Chapter is subject to all of the requirements listed in this subsection with respect to a qualifying agent. For purposes of this Chapter, a "qualifying agent" is an individual who is a full-time employee in a management position who is licensed under this Chapter and whose name and address have been registered with the Board. The requirements are:

- (1) The business entity shall employ a designated qualifying agent who meets the requirements for a license issued under and who is, in fact, licensed under the provisions of this Chapter, unless otherwise approved by the Board. Service upon the qualifying agent appointed by the business entity of any process, notice or demand required by or permitted by law to be served upon the business entity by the ~~Alarm Security Systems~~ Licensing Board shall be binding upon the licensed business entity. Nothing herein contained shall limit or affect the right to serve any process, notice or demand required or permitted by law to be served upon a business entity in any other manner or hereafter permitted by law.

- ...
- (3) In the event that the qualifying agent upon whom the business entity relies in order to do business ceases to perform his duties as qualifying agent, the business entity shall notify the board in writing by letter or using the Board's online form within 10 working days. The business entity must obtain a substitute qualifying agent within 90 days after the original qualifying agent ceases to serve as qualifying agent. The Director, in his or her discretion, may extend the 90-day period for good cause by an additional 30 days upon a written request of an officer of the company.

- (4) The license certificate shall list the name of the qualifying agent. No ~~licensee~~ person shall serve as the qualifying agent for more than one business entity without the prior approval of the Board.

- ...
- (6) The qualifying agent shall be responsible for maintaining a current address and other contact information with the Board.

(d) ~~Criminal Record Check.~~ Minimum Qualifications for Security Systems License. – An applicant ~~must for qualifying agent~~ shall meet all of the following requirements and ~~qualifications determined by a background investigation conducted by the Board in accordance with G.S. 74D-2.1 and upon receipt of an application:~~ qualifications:

- (1) The applicant is at least 18 years of age.
- (2) The applicant is of good moral character and temperate habits. The following shall be prima facie evidence that the applicant does not have good moral character or temperate habits: conviction by any local, State, federal, or military court of any crime involving the illegal use, carrying, or possession of a firearm; conviction of any crime involving the illegal use, possession, sale, manufacture, distribution or transportation of a controlled substance, drug, narcotic, or alcoholic beverages; conviction of a crime involving felonious assault or an act of violence; conviction of a crime involving unlawful breaking or entering, burglary, larceny, or of any offense involving moral turpitude; or a history of addiction to alcohol or a narcotic drug;

provided that, for purposes of this subsection, "conviction" means and includes the entry of a plea of guilty, plea of no contest, or a verdict rendered in open court by a judge or ~~jury-jury, including a prayer for judgment continued, adjudication withheld, or equivalent.~~

- (3) The applicant has the necessary training, qualifications and experience to be ~~licensed,~~ licensed, or the applicant has successfully completed or kept current a Certified Alarm Technician Level I course offered by the Electronic Security Association or equivalent course approved by the Board.

(e) Examination. — ~~The Board may require the applicant to demonstrate the applicant's qualifications by examination.~~

...

(g) An alarm monitoring company located in another state and licensed by that state which demonstrates to the Board's satisfaction that it does not conduct any business through a personal representative present in this State, but which solicits and conducts business solely through interstate communication facilities, such as telephone, the internet, and the United States Postal Service, upon receipt by the Board of a certificate of good standing from the state of licensure is not required to register employees pursuant to G.S. 74D-8. Out-of-state monitoring companies not licensed in any state must be licensed by the Board and must register employees pursuant to G.S. 74D-8.

(h) A security guard and patrol company licensed under Chapter 74C of the General Statutes that remotely monitors access control, cameras, analytic capturing devices, systems providing intelligence, or other imaging devices shall obtain a separate limited monitoring license and may utilize the same qualifying agent for the limited license as utilized for its security guard and patrol license and shall not be required to meet the requirements of G.S. 74D-2(c)(4) and (d)(3) or hold a low voltage electrical license. The qualifying agent must successfully complete a central station monitoring operator course approved by the Board.

"§ 74D-2.1. Criminal background checks.

(a) Authorization. – Upon receipt of an application for a license or registration, the Board shall conduct a background investigation to determine whether the applicant meets the requirements for a license or registration as set out in G.S. 74D-2(d). ~~The Department State Bureau of Public Safety Investigation~~ may provide a criminal record check to the Board for a person who has applied for a new or renewal license or registration through the Board. The Board shall provide to the ~~Department of Public Safety, State Bureau of Investigation,~~ along with the request, the fingerprints of a new applicant, and the ~~Department of Public Safety State Bureau of Investigation~~ shall provide a criminal record check based upon the applicant's fingerprints. The Board may request a criminal record check from the ~~Department of Public Safety State Bureau of Investigation~~ for a renewal applicant based upon the applicant's fingerprints in accordance with policy adopted by the Board. The Board shall provide any additional information required by the ~~Department of Public Safety State Bureau of Investigation~~ and a form signed by the applicant consenting to the check of the criminal record and to the use of the fingerprints and other identifying information required by the State or national repositories. The applicant's fingerprints shall be forwarded to the State Bureau of Investigation for a search of the State's criminal history record file, and the State Bureau of Investigation shall forward a set of the fingerprints to the Federal Bureau of Investigation for a national criminal history check. ~~The Department of Public Safety State Bureau of Investigation may charge each applicant a fee to be collected by the Board and transmitted to the State Bureau of Investigation for conducting the checks of criminal history records authorized by this subsection.~~

The Board may require a new or renewal applicant to obtain a criminal record report from one or more reporting services designated by the Board to provide criminal record reports. Applicants are required to pay the designated reporting service for the cost of these reports.

(b) Confidentiality. – ~~The~~ Except as necessary to support the denial of an application or a disciplinary matter in a contested case, the Board shall keep all information obtained pursuant to this section confidential in accordance with applicable State law and federal guidelines, and the information shall not be a public record under Chapter 132 of the General Statutes.

"§ 74D-3. Exemptions.

The provisions of this Chapter shall not apply to the following:

- (1) A person, firm, association or corporation that sells or manufactures ~~alarm security~~ systems, unless the person, firm, association or corporation makes personal solicitations at a residence or business to advise, design, or consult on specific types and specific locations of ~~alarm security~~ system devices, installs, services, monitors, or responds to ~~alarm security~~ systems at or from a protected premises or a premises to be protected and thereby obtains knowledge of specific application or location of the ~~alarm security~~ system. ~~A person licensed under this Chapter may hire a consultant to troubleshoot a location or installation for a period of time not to exceed 48 hours in a one-month period if the licensee submits a report to the Board within 30 days from the date of the consultation designating the consultant as a temporary consultant;~~
- (2) Installation, servicing or responding to fire alarm systems or any alarm device which is installed in a motor vehicle, aircraft or ~~boat~~;boat.
- (3) Installation or service of an ~~alarm electronic security~~ system on property owned by or leased to the ~~installer~~;installer.
- (4) ~~An alarm monitoring company located in another state which demonstrates to the Board's satisfaction that it does not conduct any business through a personal representative present in this State but which solicits and conducts business solely through interstate communication facilities such as telephone messages, earth satellite relay stations and the United States postal service; and~~
- (5) ~~A person or business providing alarm systems services to a State agency or local government if that person or business has been providing those services to the State agency or local government for more than five years prior to the effective date of this Chapter, and the State agency or local government joins with the person or business in requesting the application of this exemption.~~
- (6) Installation or service of a locking device that records entry and exit data and does not transmit the data in real time to an on-site or off-site monitoring location, provided the installer is licensed by the North Carolina Locksmith Licensing Board.
- (7) An entity through which a customer accesses marketing or advertising material or installation instructions for a security system.

(b) A person licensed under this Chapter may utilize a consultant or manufacturer's representative to troubleshoot a location or installation if accompanied by the licensee and the licensee submits a report to the Board within 30 days from the date of the consultation designating the consultant as a temporary consultant.

"§ 74D-4. Alarm Security Systems Licensing Board.

(a) The ~~Alarm Security~~ Systems Licensing Board is hereby established.

(b) The Board shall consist of seven members: the Secretary of Public Safety or his or her designee; two persons appointed by the Governor, one of whom shall be licensed under this Chapter and one of whom shall be a public member; two persons appointed by the General Assembly upon the recommendation of the President Pro Tempore of the Senate in accordance with G.S. 120-121, one of whom shall be licensed under this Chapter and one of whom shall be a public member; and two persons appointed by the General Assembly upon the recommendation

of the Speaker of the House of Representatives in accordance with G.S. 120-121, one of whom shall be licensed under this Chapter and one of whom shall be a public member.

(c) Each member shall be appointed for a term of three years and shall serve until a successor is installed. ~~No~~ With the exception of the Secretary or his or her designee, no member shall serve more than two complete three-year consecutive terms. The term of each member, other than the Attorney General or his designee, who is serving on August 7, 1989, shall terminate on June 30, 1989. Of the appointments made by the General Assembly upon the recommendation of the President of the Senate to begin on July 1, 1989, one member shall be for a term of one year and one member shall be for a term of three years. Of the appointments made by the General Assembly upon the recommendation of the Speaker of the House of Representatives, one member shall be appointed for a term of two years and one member shall be appointed for a term of three years. Thereafter all terms shall be for three years.

...

(e) Board members who are also State officers or employees shall receive no per diem compensation for serving on the Board, and shall only receive the travel allowances set forth in G.S. 138-6. All other Board members shall receive reimbursement in accordance with G.S. 93B-5(b) and, notwithstanding G.S. 93B-5(a), shall receive as compensation for their services per diem not to exceed one hundred dollars (\$100.00) for each day during which they are engaged in the official business of the Board. The Board shall set the travel allowance and per diem compensation of Board members who are not also State officers or employees.

(f) The Board shall elect a ~~chairman-chair~~ and a ~~vice-chairman-vice-chair~~ from its membership by majority vote at the first meeting of its fiscal year. The ~~vice-chairman-vice-chair~~ shall serve as ~~chairman-chair~~ of the screening committee and shall also serve as ~~chairman-chair~~ in the ~~chairman's-chair's~~ absence. At no time shall both the positions of ~~chairman-chair~~ and ~~vice-chairman-vice-chair~~ be held by either an industry representative or a nonindustry representative.

(g) The Board shall meet at the call of the ~~chairman-chair~~ or a majority of the members of the Board. The Board shall adopt rules governing the call and conduct of its meetings. A majority of the current Board membership constitutes a quorum.

"§ 74D-5. Powers of the Board.

(a) In addition to the powers conferred upon the Board elsewhere in this Chapter, the Board shall have the power ~~to do the following:~~

- (1) Promulgate rules necessary to carry out and administer the provisions of this Chapter including the authority to require the submission of reports and information by licensees under this ~~Chapter;Chapter.~~
- (2) Determine minimum qualifications and establish minimum education, experience, and training standards for ~~applicants and licensees~~ applicants, licensees, and registrants under this ~~Chapter;Chapter.~~
- (3) Conduct investigations regarding alleged violations and make evaluations as may be necessary to determine if unlicensed individuals or entities are in violation of this Chapter and licensees and registrants under this Chapter are complying with the provisions of this ~~Chapter;Chapter.~~ The Board shall issue cease and desist orders, in writing, for violations of this Chapter with the concurrence of the Secretary of Public Safety.
- (4) Adopt and amend bylaws, consistent with law, for its internal management and ~~control;control.~~
- (5) Investigate and approve individual applicants to be licensed or registered according to this Chapter;Chapter.
- (6) Deny, suspend, or revoke any license issued or to be issued under this Chapter to any ~~applicant or licensee~~ applicant, licensee, or registrant who fails to satisfy the requirements of this Chapter or the rules established by the Board.

The denial, suspension, or revocation of such license or registration shall be in accordance with Chapter 150B of this General Statutes of North ~~Carolina; Carolina.~~

- (7) Issue subpoenas to compel the attendance of witnesses and the production of pertinent books, accounts, records, and documents. The district court shall have the power to impose punishment pursuant to G.S. 5A-21 et seq. for acts occurring in matters pending before the Board which would constitute civil contempt if the acts occurred in an action pending in ~~court; and court.~~
- (8) Contract for services as necessary to carry out the functions of the Board.
- (9) Acquire, hold, rent, encumber, alienate, and otherwise deal with real property in the same manner as a private person or corporation, subject only to approval of the Governor and the Council of State. Collateral pledged by the Board for an encumbrance is limited to the assets, income, and revenues of the Board.

(b) The ~~chairman~~ chair of the Board or his or her representative designated to be a hearing officer may conduct any hearing called by the ~~board~~ Board for the purpose of denial, suspension, or revocation of a license or registration under this Chapter.

(c) The regulation of security system businesses shall be exclusive to the Board; however, any city or county shall be permitted to require a security business operating within its jurisdiction to register and to supply information regarding its license and may adopt an ordinance to require users of electronic security systems to obtain revocable permits when alarm usage involves automatic signal transmission to a law enforcement agency.

"§ 74D-5.1. Position of Director created.

The position of Director of the ~~Alarm-Security~~ Systems Licensing Board is hereby created within the Department of Public Safety. The Secretary of Public Safety shall appoint a person to fill this full-time position. The Director's duties shall be to administer the directives contained in this Chapter and the rules ~~promulgated~~ adopted by the Board to implement this Chapter and to carry out the administrative duties incident to the functioning of the Board in order to actively police the ~~alarm systems~~ security systems industry to ~~insure~~ ensure compliance with the law in all aspects. The Director may issue a temporary grant or denial of a request for registration subject to final action by the Board at its next regularly scheduled meeting.

"§ 74D-5.2. Investigative powers of the Secretary of Public Safety.

The Secretary of Public Safety shall have the power to investigate or cause to be investigated any complaints, allegations, or suspicions of wrongdoing or violations of this Chapter involving individuals unlicensed, licensed, or to be licensed, under this Chapter. Any investigation conducted pursuant to this section is deemed confidential and is not subject to review under G.S. 132-1 until the investigation is complete and a report is presented to the Board. However, the report may be released to the licensee after the investigation is complete but before the report is presented to the Board.

"§ 74D-6. Denial of a license or registration.

~~Upon a finding that the applicant meets the requirements for licensure or receipt of an application for licensure or registration under this Chapter, the Board shall determine whether the applicant shall receive the license or registration applied for. The grounds for denial include:~~ include all of the following:

- (1) Commission of some act which, if committed by a registrant or licensee, would be grounds for the suspension or revocation of a registration or license under this ~~Chapter; Chapter.~~
- (2) Conviction of a crime involving ~~fraud~~; the illegal use, carrying, or possession of a firearm, felonious assault or an act of violence, felonious sexual offense, felonious larceny, or felonious fraud. For purposes of this subdivision, "conviction" means and includes the entry of a plea of guilty, plea of no

contest, or a verdict entered in open court by a judge or jury, including a prayer for judgment continued, adjudication withheld, or equivalent.

- (3) Lack of good moral character or temperate habits. The following misdemeanor convictions shall be prima facie evidence that the applicant does not have good moral character or temperate habits: conviction by any local, State, federal, or military court of any crime involving the illegal use, carrying, or possession of a firearm; conviction of any crime involving the illegal use, possession, sale, manufacture, distribution, or transportation of a controlled substance, drug, narcotic, or alcoholic beverages; conviction of a crime involving ~~felonious~~ assault or an act of violence; conviction of a crime involving unlawful breaking or entering, burglary or ~~larceny or of any offense involving moral turpitude~~; larceny; conviction of a crime involving a sexual offense; or a history of addiction to alcohol or a narcotic drug; provided that, for purposes of this ~~subsection~~ subdivision, "conviction" means and includes the entry of a plea of guilty, plea of no contest, or a verdict rendered in open court by a judge or ~~jury~~ jury, including a prayer for judgment continued, adjudication withheld, or equivalent.
- (4) Previous denial under this Chapter or previous revocation for ~~cause~~ cause.
- (5) Knowingly making any false statement or misrepresentation in an application made to the Board for a license or registration.
- (6) Being a registered sex offender in this State or any other state.

"§ 74D-7. Form of license; term; assignability; renewal; posting; branch offices; fees.

...

(c) No licensee shall engage in any business regulated by this Chapter under a name other than the ~~licensee~~ licensee's name or names which appear on the certificate issued by the Board.

(d) Any branch office ~~of an alarm in this State with a security systems business~~ shall obtain a branch office certificate. A separate certificate stating the location and licensed qualifying agent shall be posted at all times in a conspicuous place in each branch office. Every business covered under the provisions of this Chapter shall file in writing with the Board the addresses of each of its branch ~~offices~~ offices in this State. All licensees ~~of with~~ a branch office shall notify the Board in writing before the establishment, closing, or changing of the location of any branch office. ~~A licensed qualifying agent may be responsible for more than one branch office of an alarm systems business with the prior approval of the Board.~~ office in this State. Temporary approval may be granted by the Director, upon application of the qualifying agent, for a period of time not to exceed ~~10 working~~ 45 days after the adjournment of the next regularly scheduled meeting of the Board unless the Board determines that the application should be denied.

...

"§ 74D-8. Registration of persons employed.

- (a) (1) A licensee of ~~an alarm~~ a security systems business shall register with the Board within 30 days after the employment begins, all of the ~~following licensee's employees described in subdivision (1a) of this subsection~~ that are within the State, unless in the discretion of the Director, the time period is extended for good ~~cause~~ cause.
- (1a) The following employees shall be registered with the Board:
 - a. Any employee that has access to ~~confidential~~ any information detailing the design, installation, or application of any ~~location specific~~ electronic security system or ~~that~~ has access to any code, number, or program that would allow the system to be modified, altered, or circumvented.

- b. Any employee who conducts personal sales in a private residence or who installs or services an electronic security system in a commercial business establishment or a personal residence.
- c. Any employee who remotely monitors a security system, including cameras, unless the employee is registered as a security guard with a licensed security guard and patrol company under Chapter 74C of the General Statutes.

Employees engaged only in sales or marketing that does not involve any of the above are not required to be registered.

- (1a)(1b) To register an employee, a licensee shall submit to the Board as to the employee: set(s) of classifiable fingerprints on standard F.B.I. applicant cards; recent color photograph(s) of acceptable quality for identification; and statements of any criminal records as deemed appropriate by the Board.
- (2) Except during the period allowed for registration in subdivision (a)(1) of this section, no ~~alarm~~-security systems business may employ any employee required to be registered by this Chapter unless the employee's registration has been approved by the Board as set forth in this section.
- (3) A licensee may employ an applicant for registration as a probationary employee for 20 consecutive days. Upon completion of the probationary period and the desire of the licensee to hire the registration applicant as a regular employee, the licensee shall register the employee, as described in this subsection, with the Board within 30 days after the probationary employment period ends unless the Director, in the Director's discretion, extends the time period for good cause. Before a probationary employee engages in systems services, the employee shall complete any training requirements and the licensee shall conduct a criminal record check on the employee, as the Board deems appropriate. The licensee shall submit a list of the probationary employees to the Director on a monthly basis. The list shall include the name, address, social security number, and dates of employment of the employees.

...

"§ 74D-8.1. Apprenticeship registration permit.

(a) The Board may issue an apprenticeship registration permit to an applicant who is 16 or 17 years old ~~and currently enrolled in high school~~ if the applicant ~~holds a valid drivers license~~ and submits at least three letters of recommendation stating that the applicant is of good moral character as provided in G.S. 74D-2(d)(2). The letters of recommendation shall be from persons who are not related to the individual, ~~and at least one of the letters shall be from an official at the school where the applicant is currently enrolled.~~ applicant.

...

"§ 74D-9. Certificate of liability insurance required; form and approval; suspension for noncompliance.

...

(d) No license shall be issued under this act unless the applicant files with the Board evidence of a policy of liability insurance which policy must provide for the following minimum coverage: ~~fifty two hundred fifty thousand dollars (\$50,000)~~ (\$250,000) because of bodily injury or death of one person as a result of the negligent act or acts of the principal insured or his agents operating in the course and scope of his employment; subject to said limit for one person, ~~one five hundred thousand dollars (\$100,000)~~ (\$500,000) because of bodily injury or death of two or more persons as the result of the negligent act or acts of the principal insured or his agent operating in the course and scope of his or her agency; ~~twenty one hundred thousand dollars (\$20,000)~~ (\$100,000) because of injury to or destruction of property of others as the result of the

negligent act or acts of the principal insured or his agents operating in the course and scope of his or her agency.

...
"§ 74D-10. Suspension or revocation of licenses and registrations; appeal.

(a) The Board may, after notice and an opportunity for hearing, suspend or revoke a license or registration issued under this Chapter if it is determined that the licensee or registrant has:

- ...
- (3) Violated any rule ~~promulgated~~ adopted by the Board pursuant to the authority contained in this Chapter.
 - (4) Been convicted of any ~~crime involving moral turpitude or any other crime involving violence or the illegal use, carrying, or possession of a dangerous weapon, felony as set forth in G.S. 74D-6(2) or any crime as set forth in G.S. 74D-6(3).~~
 - ...
 - (7) Engaged in or permitted any employee to engage in any ~~alarm-security~~ systems business when not lawfully in possession of a valid ~~license~~ registration issued under the provisions of this Chapter.
 - (8) Committed an unlawful breaking or entering, burglary, larceny, sexual offense, trespass, fraud, assault, battery, or kidnapping.
 - (9) Committed any other act which is a ground for the denial of an application for a license or registration under this Chapter.
 - (10) Failed to maintain the certificate of liability insurance required by this Chapter.
 - ...
 - (15) Engaged in the ~~alarm-security~~ systems profession under a name other than the name under which the license was obtained under the provisions of this Chapter.
 - ...
 - (19) Engaged in conduct that constitutes dereliction of duty or otherwise deceives, defrauds, or harms the public in the course of professional activities or ~~services.~~ services, including fraudulently claiming a change in business ownership, fraudulently claiming dissolution of a competing business, fraudulently claiming to be a representative of the consumer's current service provider, misrepresentation of employer, or misrepresenting an upgrade of equipment as a sales tactic.
 - (20) Demonstrated a lack of financial responsibility.

...
"§ 74D-11. Enforcement.

...
(b) Any person, firm, association, corporation, or department or division of a firm, association or corporation, or their agents and employees violating any of the provisions of this Chapter or knowingly violating any rule promulgated to implement this Chapter shall be guilty of a Class 1 misdemeanor. The Attorney General, or his or her representative, shall have concurrent jurisdiction with the district attorneys of this State to prosecute violations of this Chapter.

(c) ~~The regulation of alarm systems businesses shall be exclusive to the Board; however, any city or county shall be permitted to require an alarm systems business operating within its jurisdiction to register and to supply information regarding its license, and may adopt an ordinance to require users of alarm systems to obtain revocable permits when alarm usage involves automatic signal transmission to a law enforcement agency.~~

(d) In lieu of revocation of suspension of a license or registration under G.S. 74D-10, a civil penalty of not more than two thousand dollars (\$2,000) per violation may be assessed by the Board against any person that violates any provision of this Chapter or any rule of the Board adopted pursuant to this Chapter. In determining the amount of any penalty, the Board shall consider the degree and extent of harm caused by the violation. The clear proceeds of all penalties collected under this section shall be remitted to the Civil Penalty and Forfeiture Fund in accordance with G.S. 115C-457.2.

(e) Proceedings for the assessment of civil penalties shall be governed by Chapter 150B of the General Statutes. If the person assessed a penalty fails to pay the penalty to the Board, the Board may institute an action in the superior court of the county in which the person resides or has his or her principal place of business to recover the unpaid amount of the penalty. An action to recover a civil penalty under this section shall not relieve any party from any other penalty prescribed by law.

(f) The sale, installation, or service of ~~an alarm~~ a security system by an unlicensed or unregistered person shall constitute a threat to the public safety, and any contract for the sale, installation, or service of ~~an alarm~~ a security system shall be deemed void and unenforceable.

...

~~"§ 74D-13. Transfer of funds.~~

~~All fees collected pursuant to Chapter 74C of the General Statutes from alarm systems businesses which have not been expended upon January 1, 1984, shall be transferred to the Board by the Private Protective Services Board for the purpose of defraying the expenses of administering this act.~~

"§ 74D-14. Proof of licensure to maintain or commence action.

~~An alarm~~ A security systems business may not maintain any action in any court of the State for the collection of compensation for performing an act for which a license or registration is required by this Chapter without alleging and proving that the ~~alarm~~ security systems business is appropriately licensed and the employee or agent of the ~~alarm~~ security systems business is appropriately registered upon entering into a contract with the consumer. ~~An alarm~~ A security systems installation, maintenance, or monitoring contract entered into with a consumer shall be void if the consumer confirms through records maintained by the Board that the ~~alarm~~ security systems business is not properly licensed or the consumer establishes through records maintained by the Board that the person enticing the consumer to enter into the contract is not properly registered by the Board. The sale, installation, or service of ~~an alarm~~ a security system by an unlicensed entity or unregistered employee shall be deemed an unfair and deceptive trade practice and shall be actionable under Chapter 75 of the General Statutes.

...."

SECTION 1.(b) Article 2 of Chapter 74D of the General Statutes reads as rewritten:

"Article 2.

"~~Alarm~~ Security Systems Education Fund.

"§ 74D-30. ~~Alarm~~ Security Systems Education Fund created; payment to Fund; management; use of funds.

(a) There is hereby created and established a special fund to be known as the "~~Alarm~~ Security Systems Education Fund" (hereinafter Fund) which shall be set aside and maintained in the office of the State Treasurer. The Fund shall be used in the manner provided in this Article for the education of licensees and registrants.

...

(c) In addition to the fees provided for elsewhere in this Chapter, the Board shall charge the following fees which shall be deposited into the Fund:

- (1) ~~On July 1, 1985, the Board shall charge every licensee on that date a fee of fifty dollars (\$50.00);~~

- (2) The Board shall charge each new applicant for a license ~~fifty dollars (\$50.00), provided that for purposes of this Article a new applicant is hereby defined as an applicant who did not possess a license on July 1, 1985; and~~ fifty dollars (\$50.00).
- (3) The Board is authorized to charge each licensee an additional amount, not to exceed fifty dollars (\$50.00), on July 1 of any year in which the balance of the Fund is less than twenty-five thousand dollars (\$25,000).
- (d) The State Treasurer shall invest and reinvest the moneys in the Fund in a manner provided by law. The Board in its discretion, may use the Fund for any of the following purposes:
- (1) To advance education and research in the ~~alarm-security~~ systems field for the benefit of those licensed under the provisions of this Chapter and for the improvement of the ~~industry, industry.~~
- (2) To underwrite educational seminars, training centers and other educational projects for the use and benefit generally of ~~licensees, and~~ licensees.
- (3) To sponsor, contract for and to underwrite any and all additional educational training and research projects of a similar nature having to do with the advancement of the ~~alarm-security~~ systems field in North Carolina."

SECTION 1.(c) The Security Systems Licensing Board may adopt rules to implement the provisions of this Part.

SECTION 1.(d) This Part becomes effective October 1, 2025.

PART II. PRIVATE PROTECTIVE SERVICES BOARD LAWS AMENDMENTS

SECTION 2.(a) G.S. 74C-2 reads as rewritten:

"§ 74C-2. Licenses required.

(a) No private person, firm, association, or corporation shall engage in, perform any services as, or in any way represent or hold itself out as engaging in a private protective services profession or activity in this State without having first complied with the provisions of this Chapter. Compliance with the licensing requirements of this Chapter shall not relieve any person, firm, association or corporation from compliance with any other licensing law.

(b) An individual in possession of a valid private protective services license or private detective trainee permit issued prior to October 1, 1989, shall not be subject to forfeiture of such license by virtue of this Chapter. Such license shall, however, remain subject to suspension, denial, or revocation in the same manner in which all other licenses issued pursuant to this Chapter are subject to suspension, denial, or revocation.

(c) In its discretion, the Private Protective Services Board may issue a trainee permit in lieu of a private ~~investigator~~ investigator, polygraph examiner, electronic countermeasures, or digital forensic examiner license provided that the applicant works under the direct supervision of a licensee."

SECTION 2.(b) G.S. 74C-3 reads as rewritten:

"§ 74C-3. Private protective services profession defined.

(a) As used in this Chapter, the term "private protective services profession" means and includes the following:

...

- (6) Security guard and patrol profession. – Any person, firm, association or corporation that provides a security guard on a contractual basis for another person, firm, association, ~~or corporation~~ corporation, or unit of government for a fee or other valuable consideration and performs one or more of the following functions:

- a. Prevention or detection of intrusion, entry, larceny, vandalism, abuse, fire or trespass on private property.

- b. Prevention, observation, or detection of any unauthorized activity on public or private property.
 - c. Protection of patrons and persons lawfully authorized to be on the premises or being escorted between premises of the person, firm, association, ~~or corporation~~ corporation, or unit of government that entered into the contract for security services.
 - d. Control, regulation, or direction of the flow or movement of the public, whether by vehicle or otherwise, only to the extent and for the time directly and specifically required to assure the protection of properties.
- ...
- (7) Guard dog service profession. – Any person, firm, association or corporation which for a fee or other valuable consideration contracts with another person, firm, association, ~~or corporation~~ corporation, law enforcement agency, or unit of government to place, lease, rent, or sell a trained dog for the purpose of protecting lives or property.

...."

SECTION 2.(c) G.S. 74C-9 reads as rewritten:

"§ 74C-9. Form of license; term; renewal; posting; branch offices; not assignable; late renewal fee.

...

- (e) The Board is authorized to charge reasonable application and license fees as follows:

...

- (17) An application for approval of a continuing legal education course not to exceed one hundred dollars (\$100.00).

Except as provided in G.S. 74C-13(k), all fees collected pursuant to this section shall be expended, under the direction of the Board, for the purpose of defraying the expenses of administering this Chapter.

...

- (h) Trainee permits shall not be issued to applicants that qualify for a private ~~detective investigator~~ license.

(i) A licensed private ~~detective—investigator, polygraph examiner, electronic countermeasures professional, or digital forensic examiner~~ may supervise no more than five trainees at any given time."

SECTION 2.(d) G.S. 74C-11 reads as rewritten:

"§ 74C-11. Probationary employees and registration of regular employees; unarmed security guard—guards and unarmed armored car guards required to have registration card.

(a) ~~All licensees~~ A security guard and patrol company or armored car company may employ unarmed security guards as probationary employees for 20 consecutive calendar days. Upon completion of the probationary period and the desire of the ~~licensee~~ licensee—security guard and patrol company or armored car company to hire an unarmed security guard as a regular employee, the ~~licensee~~ licensee—security guard and patrol company or armored car company shall register the employee who will be engaged in providing private protective services covered by this Chapter with the Board within 30 days after the probationary employment period ends, unless the Director, in the Director's discretion, extends the time period, for good cause. Before a probationary employee engages in private protective services, the employee shall complete any training requirements, and the licensee shall conduct a criminal record check on the employee, as the Board deems appropriate. The ~~licensee~~ licensee—security guard and patrol company or armored car company shall submit a list of the probationary employees to the Director on a monthly basis. The list shall include the name, address, social security number, and dates of employment of the employees.

To register an employee after the probationary period ends, a licensee-security guard and patrol company or armored car company must give the Board the following:

- (1) Set(s) of classifiable fingerprints on standard F.B.I. applicant cards; recent photograph(s) of acceptable quality for identification; and
- (2) Statements of any criminal records obtained from the appropriate authority in each area where the employee has resided within the immediately 48 preceding months.

(b) A security guard and patrol company or armored car company may not employ an unarmed ~~security-guard~~ in a regular position unless the guard has a registration card issued under subsection (d) of this section. ~~A person engaged in a private protective services profession section and~~ may not employ an armed ~~security-guard~~ unless the guard has a firearm registration permit issued under G.S. 74C-13.

(c) The Director shall be notified in writing of the termination of any regular employee registered under subsection (a) of this section within 10 days after the termination.

(d) An unarmed security guard shall make application to the Director for an unarmed registration card which the Director shall issue to the applicant after receipt of the information required to be submitted by the applicant's employer pursuant to subsection (a) of this section, and after meeting any additional requirements which the Board, in its discretion, deems to be necessary. The unarmed ~~security-guard~~ registration card shall be in the form of a pocket card designed by the Board, shall be issued in the name of the applicant, and may have the applicant's photograph affixed to the card. The unarmed ~~security-guard~~ registration card shall expire one year after its date of issuance and shall be renewed every year. The Board may require all registration holders to complete continuing education courses approved by the Board before renewal of their registrations. If an unarmed registered ~~security-guard~~ is terminated by a licensee-security guard and patrol company or armored car company and changes employment to another security guard and patrol ~~company, company or armored car company,~~ the ~~security-guard's~~ registration card shall remain valid, provided the ~~security-guard~~ pays the unarmed guard registration transfer fee to the Board and a new unarmed ~~security-guard~~ registration card is issued. An unarmed ~~security-guard~~ whose transfer registration application and transfer fee have been sent to the Board may work with a copy of the transfer application until the registration card is issued.

(e) Notwithstanding the provisions of this section, a licensee-security guard and patrol company or armored car company may employ a person properly registered or licensed as an unarmed ~~security-guard~~ in another state for a period not to exceed 10 days in any given month; provided the licensee-security guard and patrol company or armored car company, prior to employing the unarmed ~~security-guard~~, submits to the Director the name, address, and social security number of the unarmed guard and the name of the state of current registration or licensing, and the Director approves the employment of the unarmed guard in this State.

(f) Repealed by Session Laws 2005-211, s. 1, effective July 20, 2005.

(g) Notwithstanding the provisions of this section, during a disaster declaration or state of emergency declared by the Governor pursuant to Article 1A of Chapter 166A of the General Statutes, a licensee-security guard and patrol company or armored car company may employ a person properly registered or licensed as an armed ~~security-guard~~ in another state, provided that the licensee-security guard and patrol company or armored car company prior to deploying the armed ~~security-guard~~ in this State, submit to the Director all of the following:

- (1) The name, address, and social security number of the armed ~~security-guard~~.
- (2) The name of the state of current registration or licensing of the armed ~~security-guard~~.
- (3) Proof of completion of the 4-hour training course mandated by G.S. 74C-13(h)(1)a. and 14B NCAC 116 .0807(c)(1), administered by a North Carolina certified trainer.

- (4) Qualification by a firearms instructor certified by the North Carolina Private Protective Services Board, based on the firearm the armed ~~security-guard~~ intends to carry, meeting the qualification requirements approved by the Board and the Secretary of Public Safety for each firearm.

(h) The Director may approve the employment of the armed ~~security-guard~~ in this State, if the person meets all of the requirements of subsection (g) of this section. Qualification under subsection (g) of this section shall be valid for a 12-month period. The duration of the deployment of an armed ~~security-guard~~ from another state by a licensee-security guard and patrol company or armored car company shall not exceed the length of the disaster declaration or state of emergency."

SECTION 2.(e) G.S. 74C-12 reads as rewritten:

"§ 74C-12. Denial, suspension, or revocation of license, registration, or permit; duty to report criminal arrests.

(a) The Board may, after compliance with Chapter 150B of the General Statutes, deny, suspend or revoke a license, certification, registration or permit issued under this Chapter if it is determined that the applicant, licensee, trainee, registrant or permit holder has done any of the following acts:

- (1) Made any false statement or given any false information in connection with any application for a license, registration, certification, ~~or permit~~ permit, or audit or for the renewal or reinstatement of a license, certification, registration or permit.

...

- (9) Committed an unlawful larceny, burglary, breaking or entering, assault, battery, sexual offense, kidnapping, forgery, or violated any State or federal firearms law.

...

- (27) Worn, carried, or accepted any badge or shield purporting to indicate that the person is a law enforcement officer while licensed or registered under the provisions of this ~~Chapter as a private investigator.~~ Chapter.

...."

SECTION 2.(f) G.S. 74C-13 reads as rewritten:

"§ 74C-13. Armed licensee or registered employee required to have firearm registration permit; firearms training.

...

(a1) The following definitions apply in this section:

- (1) Armed private investigator. – A licensed private investigator who, at any time, wears, carries, or possesses a firearm in the performance of duty.
- (1a) Armed ~~security-guard~~. – An individual employed by a contract security company or a proprietary security organization whose principal duty is that of an armed security watchman; armed armored car service guard; armed alarm system company responder; or armed courier service who at any time wears, carries, or possesses a firearm in the performance of duty.
- (2) Contract security company. – Any person, firm, association, or corporation engaging in a private protective services profession that provides services on a contractual basis for a fee or other valuable consideration to any other person, firm, association, or corporation.
- (3) Proprietary security organization. – Any person, firm, association, or corporation or department thereof which employs security guards, alarm responders, armored car personnel, or couriers who are employed regularly and exclusively as an employee by an employer in connection with the business affairs of the employer.

- (4) Armed armored car guard. – An individual employed by a contract armored car company, who has a principal duty of an armored car service guard, and who, at any time, wears, carries, or possesses a firearm in the performance of duty.

(b) It shall be unlawful for any person, firm, association, or corporation and its agents and employees to hire an armed ~~security guard~~ or an armed ~~private investigator~~ ~~licensee~~ and knowingly authorize or permit the armed ~~security guard~~ or armed ~~private investigator~~ ~~licensee~~ to carry a firearm during the course of performing his or her duties ~~as an armed security guard or an armed private investigator~~ if the Board has not issued him or her a firearm registration permit under this section, or if the person, firm, association, or corporation permits an armed ~~security guard~~ or an armed ~~private investigator~~ ~~licensee~~ to carry a firearm during the course of performing his or her duties whose firearm registration permit has been suspended, revoked, or has otherwise expired:

- (1) A firearm registration permit grants authority to the armed ~~security guard~~ or armed ~~private investigator~~ ~~guard or licensee~~, while in the performance of his or her duties or traveling directly to and from work, to carry any firearm approved by the Board and not otherwise prohibited by law. The use of any firearm not approved by the Board is prohibited.
- (2) All firearms carried by authorized armed ~~security guards~~ or armed licensees in the performance of their duties shall be owned or leased by the employer. Personally owned firearms not leased to the employer shall not be carried by an armed ~~security guard~~ or armed licensee in the performance of his or her duties.

(c) The applicant for a firearm registration permit shall submit an application to the Board on a form provided by the Board.

(d) Each firearm registration permit issued under this section to an armed ~~security guard~~ shall be in the form of a pocket card designed by the Board and shall identify the contract security ~~company, company, armored car company, or~~ proprietary security organization by whom the holder of the firearm registration permit is employed. A firearm registration permit issued to an armed ~~security guard~~ expires one year after the date of its issuance and must be renewed annually unless the permit holder's employment terminates before the expiration of the permit. The Board may require all permit holders to complete continuing education courses approved by the Board before renewal of their permits.

(d1) Each firearm registration permit issued under this section to an armed ~~private investigator~~ ~~licensee~~ shall be in the form of a pocket card designed by the Board and shall identify the name of the armed ~~private investigator~~ ~~licensee~~. While carrying a firearm and engaged in private protective services, the armed ~~private investigator~~ ~~licensee~~ shall carry the firearms registration permit issued by the Board, together with valid identification, and shall disclose to any law enforcement officer that the person holds a valid permit and is carrying a firearm, whether concealed or in plain view, when approached or addressed by the law enforcement officer, and shall display both the permit and the proper identification upon the request of a law enforcement officer. A ~~private investigator~~ ~~licensee's~~ firearm registration permit expires one year from the date of issuance and shall be renewed annually. The Board may require all permit holders to complete continuing education courses approved by the Board before renewal of their permits.

(d2) A proprietary security organization that employs an armed ~~security guard~~ shall submit an application to the Board for a license on a form, provided by the Board. A proprietary security organization shall renew its license every two years.

(e) If an armed ~~security guard~~ terminates his or her employment with the contract security ~~company, company, armored car company, or~~ proprietary security organization, the firearm

registration permit expires and must be returned to the Board within 15 working days of the date of termination of the employee.

(f) A contract security ~~company~~company, armored car company, or proprietary security organization shall be allowed to employ an individual for 30 days as an armed ~~security guard~~ pending completion of the firearms training required by this Chapter, if the contract security ~~company~~company, armored car company, or proprietary security organization obtains prior approval from the Director. The Board and the Secretary of Public Safety shall provide by rule the procedure by which an armed ~~private investigator, licensee~~, a contract security company, armored car company, or a proprietary security organization applicant may be issued a temporary firearm registration permit by the Director of the Board pending a determination by the Board of whether to grant or deny an applicant a firearm registration permit.

(g) The Board may suspend, revoke, or deny a firearm registration permit if the holder or applicant has been convicted of any crime set forth in G.S. 74C-8(d) or for violation of this section or rules promulgated by the Board to implement this section. The Director may summarily suspend a firearm registration permit pending resolution of charges for any of the offenses set forth in G.S. 74C-12 or any crime set forth in G.S. 74C-8(d).

(h) The Board and the Secretary of Public Safety shall establish a firearms training program for licensees and registered employees to be conducted by agencies and institutions approved by the Board and the Secretary of Public Safety. The Board and the Secretary of Public Safety may approve training programs conducted by a contract security ~~company~~company, armored car company, and the security department of a proprietary security organization, if the contract security ~~company~~company, armored car company, or security department of a proprietary security organization offers the courses listed in subdivision (1) of this subsection and if the instructors of the training program are certified trainers approved by the Board and the Secretary of Public Safety.

- (1) The basic training course approved by the Board and the Secretary of Public Safety shall consist of a minimum of four hours of classroom training which shall include all of the following:
 - a. Legal limitations on the use of firearms and on the powers and authority of ~~an armed security guard~~guards and licensees.
 - b. Familiarity with this section.
 - c. Range firing and procedure and firearm safety and maintenance.
 - d. Any other topics of ~~armed security guard~~firearms training curriculum which the Board deems necessary.
- (2) An applicant for a firearm registration permit must fire a minimum qualifying score to be determined by the Board and the Secretary of Public Safety on any approved target course approved by the Board and the Secretary of Public Safety.
- (3) A firearms registrant must complete a refresher course and shall requalify on the prescribed target course prior to the renewal of his or her firearm registration permit.
- (4) The Board and the Secretary of Public Safety shall have the authority to promulgate all rules necessary to administer the provisions of this section concerning the training requirements of this section.

(i) The Board may not issue a firearm registration permit to an applicant until the applicant's employer submits evidence satisfactory to the Board that the applicant:

- (1) Has satisfactorily completed an approved training course.
- (2) Meets all the qualifications established by this section and the rules promulgated to implement this section.
- (3) Is mentally and physically capable of handling a firearm within the guidelines set forth by the Board and the Secretary of Public Safety.

(j) The Board and the Secretary of Public Safety are authorized to prescribe reasonable rules to implement this section, including rules for periodic requalification with the firearm and for the maintenance of records relating to persons issued a firearm registration permit by the Board.

(k) All fees collected pursuant to G.S. 74C-9(e)(7) and (8) shall be expended, under the direction of the Board, for the purpose of defraying the expense of administering the firearms provisions of this Chapter.

(l) The Board and the Secretary of Public Safety shall establish a training program for certified trainers to be conducted by agencies and institutions approved by the Board and the Secretary of Public Safety. The Board or the Secretary of Public Safety shall have the authority to promulgate all rules necessary to administer the provisions of this subsection.

(1) The Board and the Secretary of Public Safety shall also establish renewal requirements for certified trainers. The Board may require all certified trainers to complete continuing education courses approved by the Board before renewal of their certifications.

(2) No certified firearms trainer shall certify a licensee or registrant unless the licensee or registrant has successfully completed the firearms training requirements set out above in subsection (h) of this section.

(m) The Board and the Secretary of Public Safety shall establish a training program for unarmed security guards to be conducted by agencies and institutions approved by the Board and the Secretary of Public Safety. The Board and the Secretary of Public Safety shall have the authority to promulgate all rules necessary to administer the provisions of this subsection.

(n) A ~~private investigator licensee~~ shall be permitted to carry a concealed weapon during the performance of his or her ~~duties as a private investigator~~ private protective services duties upon: (i) obtaining a concealed ~~weapon-handgun~~ permit issued pursuant to G.S. 14-415.11; (ii) successfully completing the firearms training course approved by the Board and the Secretary of Public Safety; and (iii) having a notation affixed to the face of the firearms registration card designating that the armed ~~private investigator licensee~~ is allowed to carry a concealed ~~weapon-handgun~~. A ~~private investigator licensee~~ who does not carry a ~~weapon-handgun~~ during the course of his or her duties as a private investigator but who wishes to carry a concealed ~~weapon-handgun~~ while not engaged in ~~private investigative~~ private protective services duties shall be permitted to do so upon completion of the requirements set forth in Article 54B of Chapter 14 of the General Statutes.

(o) The Board shall not knowingly issue a firearm registration permit to an individual who is prohibited by federal or State law from possessing a firearm.

(p) Notwithstanding subsection (n) of this section, a licensee who is authorized pursuant to section 926B or 926C of Title 18 of the United States Code to carry a concealed handgun and is in compliance with the requirements of those sections, is exempt from obtaining the permit described in G.S. 14-415.11."

SECTION 2.(g) The Private Protective Services Board may adopt rules to implement the provisions of this Part.

SECTION 2.(h) This Part becomes effective October 1, 2025.

PART III. ENHANCE BACKGROUND CHECK ABILITIES OF PRIVATE PROTECTIVE SERVICES BOARD AND SECURITY SYSTEMS LICENSING BOARD

SECTION 3.(a) G.S. 14-415.12 reads as rewritten:

"§ 14-415.12. Criteria to qualify for the issuance of a permit.

(a) The sheriff shall issue a permit to an applicant if the applicant qualifies under the following criteria:

(1) The applicant is a citizen of the United States or has been lawfully admitted for permanent residence as defined in 8 U.S.C. § 1101(a)(20), and has been a

resident of the State 30 days or longer immediately preceding the filing of the application.

- (2) The applicant is 21 years of age or older.
- (3) The applicant does not suffer from a physical or mental infirmity that prevents the safe handling of a handgun.
- (4) The applicant has successfully completed an approved firearms safety and training course which involves the actual firing of handguns and instruction in the laws of this State governing the carrying of a concealed handgun and the use of deadly force. The North Carolina Criminal Justice Education and Training Standards Commission shall prepare and publish general guidelines for courses and qualifications of instructors which would satisfy the requirements of this subdivision. An approved course shall be any course which satisfies the requirements of this subdivision and is certified or sponsored by any of the following:
 - a. The North Carolina Criminal Justice Education and Training Standards Commission.
 - b. The National Rifle Association.
 - b1. The United States Concealed Carry Association.
 - c. A law enforcement agency, college, private or public institution or organization, or firearms training school, taught by instructors certified by the North Carolina Criminal Justice Education and Training Standards Commission, the United States Concealed Carry Association, or the National Rifle Association.
 - d. The North Carolina Private Protective Services Board and Secretary of Public Safety pursuant to G.S. 74C-13.

Every instructor of an approved course shall file a copy of the firearms course description, outline, and proof of certification annually, or upon modification of the course if more frequently, with the North Carolina Criminal Justice Education and Training Standards Commission."

SECTION 3.(b) G.S. 15A-151(a) reads as rewritten:

"§ 15A-151. Confidential agency files; exceptions to expunction.

(a) The Administrative Office of the Courts shall maintain a confidential file for expungements containing the petitions granted under this Article and the names of those people for whom it received a notice under G.S. 15A-150. The information contained in the file may be disclosed only as follows:

- ...
- (10) Upon request of the North Carolina Private Protective Services Board or the North Carolina Security Systems Licensing Board, if the criminal record was expunged under this Chapter for licensure or registration purposes only."

SECTION 3.(c) G.S. 93B-8.1 reads as rewritten:

"§ 93B-8.1. Use of criminal history records.

...

(d) This section does not apply to the North Carolina Criminal Justice Education and Training Standards ~~Commission and Commission~~, the North Carolina Sheriff's Education and Training Standards ~~Commission~~, and the North Carolina Private Protective Services Board, and the North Carolina Security Systems Licensing Board."

SECTION 3.(d) The Security Systems Licensing Board and the Private Protective Services Board may adopt rules to implement the provisions of this Part.

SECTION 3.(e) This Part becomes effective October 1, 2025.

PART IV. ENHANCE ABC COMMISSION OVERSIGHT AUTHORITY

SECTION 4.(a) G.S. 18B-203 reads as rewritten:

"§ 18B-203. Powers and duties of the Commission.

(a) Powers. – The Commission shall have authority to:

...

(23) Provide for a method for permittees and applicants to establish compliance with all local ordinances, and State and federal laws.

...."

SECTION 4.(b) This Part becomes effective October 1, 2025.

PART V. MODIFY LAW REGARDING NOTICE OF CERTAIN VIOLATIONS TO ABC PERMIT HOLDERS

SECTION 5. G.S. 18B-502(c) reads as rewritten:

"(c) ~~If any alcohol law enforcement agent or local ABC officer issues a citation to an employee of a permitted establishment, who is not the named holder of an ABC permit for the establishment, for conduct occurring on the premises of the establishment that is a violation of this Chapter or Chapter 14 of the General Statutes, the alcohol law enforcement agent or local ABC officer shall send notice by electronic means or certified mail to the holder of the permit within five business days of the issuance of the citation.~~ Notice to Permit Holders. – If the Commission receives a report from a law enforcement agency other than the Division of Alcohol Law Enforcement of the Department of Public Safety or a local ABC officer documenting violations of this Chapter or Chapter 14 of the General Statutes for conduct occurring on the premises of a permitted establishment, the Commission shall send notice of the alleged violation to the holder of the permit within five business days of receipt of the law enforcement agency report. The written notice shall identify the currently alleged violations and the involved employee. Nothing in this subsection shall prevent or limit the Commission from taking any additional action warranted by the circumstances of the violation."

PART VI. REVIEW OF PERSONNEL RECORDS

SECTION 6.(a) Article 1 of Chapter 17C of the General Statutes is amended by adding a new section to read:

"§ 17C-10.2. Transfer of certified law enforcement officers.

(a) Notwithstanding any other provision of law, a North Carolina law enforcement agency considering an applicant for employment as a sworn law enforcement officer shall request access to and review the complete personnel file of the applicant maintained by or on behalf of any North Carolina law enforcement agency where the applicant was employed for any part of the five-year period preceding the current application.

(b) With a release signed by the applicant, any North Carolina law enforcement agency or any entity maintaining records of a law enforcement agency that previously employed the applicant shall grant access to and may, if requested, provide a copy of the applicant's complete personnel file, including confidential information as defined by G.S. 153A-98, 160A-168, and 126-24 to the law enforcement agency considering the applicant for employment.

(c) To the extent that confidential information as defined by G.S. 153A-98, 160A-168, or 126-24 is maintained in the personnel file of any law enforcement agency or entity maintaining records of a law enforcement agency that previously employed the applicant, that information shall remain confidential in the files of any law enforcement agency obtaining the information pursuant to this section.

(d) A law enforcement agency, any entity maintaining records of a law enforcement agency, and the personnel of such agency or entity providing or receiving access to or copies of an applicant's personnel file pursuant to subsections (a) and (b) of this section shall not be held civilly or criminally liable for doing so."

SECTION 6.(b) Article 2 of Chapter 17E of the General Statutes is amended by adding a new section to read:

"§ 17E-7.1. Transfer of certified law enforcement officers.

(a) Notwithstanding any other provision of law, a sheriff considering an applicant for employment as a deputy sheriff shall request access to and review the complete personnel file of the applicant maintained by or on behalf of any North Carolina law enforcement agency where the applicant was employed for any part of the five-year period preceding the current application.

(b) With a release signed by the applicant, any North Carolina law enforcement agency or any entity maintaining records of a law enforcement agency that previously employed the applicant shall grant access to and may, if requested, provide a copy of the applicant's complete personnel file, including confidential information as defined by G.S. 153A-98, 160A-168, and 126-24 to the sheriff's office considering the applicant for employment.

(c) To the extent that confidential information as defined by G.S. 153A-98, 160A-168, or 126-24 is maintained in the personnel file of any law enforcement agency or entity maintaining records of a law enforcement agency that previously employed the applicant, that information shall remain confidential in the files of any sheriff's office obtaining the information pursuant to this section.

(d) A law enforcement agency, any entity maintaining records of a law enforcement agency, and the personnel of such law enforcement agency or entity providing or receiving access to or copies of an applicant's personnel file pursuant to subsections (a) and (b) of this section shall not be held civilly or criminally liable for doing so."

PART VII. REINSTATE G.S. 102-1.1

SECTION 7. Section 2(a) of S.L. 2023-92 is repealed.

PART VIII. MILITARY JUDGES OF THE NCNG MODIFICATIONS

SECTION 8.(a) G.S. 127A-50 reads as rewritten:

"§ 127A-50. Summary courts-martial.

(a) In the North Carolina National Guard, not in the service of the United States, summary courts-martial may be appointed by any of the following:

- (1) Any person who may convene a general or special court-martial.
- (2) The commander of a battalion, comparable or higher command of the North Carolina Army National Guard, provided that the commander is an officer of the grade of major or above.
- (3) The commander of a detached squadron, comparable or higher command of the North Carolina Air National Guard, provided that the commander is an officer of the grade of major or above.

(b) The court shall consist of one officer who shall have the power to administer oaths and try enlisted personnel of each respective command for breaches of discipline and violations of laws governing those organizations.

(c) ~~These courts-~~The summary courts-martial officer shall also have the power to impose punishments in like manner and to the extent prescribed by the Uniform Code of Military Justice and Manual for Courts-Martial, United States, as shall be in use by the Armed Forces of the United States at the time of the offense, except that no such court shall have the authority to impose confinement as part of a sentence. There shall be no right to demand trial by general or special court-martial.

(d) When the summary courts-martial officer is a military judge appointed under G.S. 127A-50.1, the summary courts-martial officer shall have the enhanced punishment authority to impose forfeitures of two-thirds pay for one month, to impose extra duty, to reduce the rank of enlisted persons with a rank of E-7 or above by up to two ranks, and to reduce the rank of enlisted persons with a rank of E-6 or below to the rank of E-1. No such court shall have

the authority to impose confinement as part of a sentence. There shall be no right to demand trial by general or special court-martial."

SECTION 8.(b) G.S. 127A-50.1 reads as rewritten:

"§ 127A-50.1. Military judges.

(a) The Adjutant General shall appoint military judges to preside over courts-martial of the North Carolina National Guard not in federal service. Minimum requirements for appointment as a military judge ~~are~~ are as follows:

- (1) ~~Certification as a military judge by the Judge Advocate General of the United States Army, Air Force, Navy, Marines, or Coast Guard.~~
- (2) Designation as a judge advocate by the Judge Advocate General of the United States Army, Navy, Air Force, Marines, or Coast Guard.
- (3) Membership in the North Carolina National Guard, ~~the National Guard of another state, or the active or reserve components of the Armed Forces of the United States Guard.~~
- (4) A member in good standing of the bar of the highest court of this State.
- (5) Hold the rank of lieutenant colonel or above.

(b) The Adjutant General or the Staff Judge Advocate may detail military judges for all purposes for which military judges may be detailed, except that only those certified as a military judge by the Judge Advocate General of the United States Army, Air Force, Navy, Marines, or Coast Guard may preside over a general or special court-martial.

(c) Nothing in this section shall preclude the detailing of a military judge from another component of the Armed Forces of the United States made available for detail, provided that such military judge has been certified by the Judge Advocate General from the military judge's component of the Armed Forces of the United States. The Adjutant General shall detail such military judge with the advice of the Staff Judge Advocate.

(d) Military judges for the Army National Guard and the Air National Guard may preside over courts-martial of the other; provided, however, the Adjutant General shall obtain the advice of the Staff Judge Advocate from the military judge's branch of service before the judge is detailed.

(e) Military judges appointed by the Adjutant General may issue investigative subpoenas as authorized under the Uniform Code of Military Justice and pursuant to such rules and regulations as prescribed by the military judge's component of the Armed Forces of the United States and as may be prescribed by the Adjutant General of the North Carolina National Guard. Subpoenas issued under this section shall have the same force and effect as subpoenas issued by the courts of this State. Subpoenas issued under this section may be served by a duly appointed investigating officer, a North Carolina National Guard Provost Marshal or Deputy Provost Marshal, or any sheriff, deputy sheriff, or State or local law enforcement officer."

SECTION 8.(c) G.S. 127A-56 reads as rewritten:

"§ 127A-56. Powers of courts-martial.

In the North Carolina National Guard, not in the service of the United States, ~~presidents of military judges certified by the Judge Advocate General of the United States Army, Air Force, Navy, Marines, or Coast Guard and detailed to courts-martial and summary court officers~~ shall have power to issue warrants to arrest an accused person and to bring the person before a court for trial whenever the person has disobeyed an order in writing from the convening authority to appear before the court, a copy of the charge or charges having been delivered to the accused with the order, and to issue subpoenas and subpoenas duces tecum, and to enforce by attachment attendance of witnesses and the production of books, papers, records and other articles subject to a subpoena duces tecum, and to sentence for a refusal to be sworn or to answer as provided in actions before civil courts. ~~The presiding officer~~ A certified military judge shall also have power to punish for contempt occurring in the presence of the court."

SECTION 8.(d) G.S. 127A-57 reads as rewritten:

"§ 127A-57. Execution of processes and sentences.

All Except as otherwise provided in this Chapter, all warrants and other processes authorized by this Chapter and sentences of any of the military courts of this State shall be executed by any sheriff, deputy sheriff, or State or local law enforcement officer into whose hands they may be placed for service or execution, and the officer shall make return thereof to the officer issuing or imposing the same. The service or execution of process or sentence shall be made by the officer without tender or advancement of fee therefor; but all costs in these cases shall be paid from funds appropriated to the Department of Public Safety."

SECTION 8.(e) G.S. 127A-59 reads as rewritten:

"§ 127A-59. Sentences.

When any sentence to fine or imprisonment is imposed by any military court of this State, it shall be the duty of the military judge, ~~president of the court, or summary court officer,~~ upon the approval of the court's findings and sentence, to make out and sign a certificate entitling the case, giving the name of the accused, the date and place of trial, the date of approval of sentence, and the terms of the sentence. The trial counsel shall deliver the certificate to the Clerk of the Superior Court of Wake County, and it shall thereupon be the duty of the clerk to take the actions necessary to carry the sentence into execution in the same manner as prescribed by law for the collection of fines, or commitment to service of terms of imprisonment, in criminal cases determined in the courts of this State. The Administrative Office of the Courts shall ensure that the State's criminal history records include pertinent information relating to a court-martial under this Chapter in a like manner as a comparable offense under the State's criminal laws would be recorded."

SECTION 8.(f) G.S. 127A-60 reads as rewritten:

"§ 127A-60. Approval of sentence.

No sentence imposed by a special or general court-martial of the North Carolina National Guard, not in the service of the United States, shall be executed until approved by the Governor. The Governor may delegate this approval authority to the Adjutant General. Any officer convicted by a general court-martial and dismissed from the service shall be forever disqualified from holding a commission in the militia."

SECTION 8.(g) Section 8(a) of this Part is effective when it becomes law and applies to summary courts-martial initiated on or after that date. Section 8(b) of this Part is effective when it becomes law and applies to military judges serving on or after that date, except the requirements of G.S. 127A-50.1, as amended by Section 8(b) of this Part, shall only apply to appointments made on or after that date. Sections 8(c) and 8(d) of this Part are effective when they become law and apply to warrants and orders issued on or after that date. The remainder of this Part is effective when it becomes law.

PART IX. REVISOR OF STATUTES CONFORMING CHANGES

SECTION 9. The Revisor of Statutes may recodify the definitions in G.S. 74C-13(a1) so that they appear in alphabetical order and shall make any necessary conforming changes.

PART X. EFFECTIVE DATE

SECTION 10. Except as otherwise provided, this act is effective when it becomes law.

In the General Assembly read three times and ratified this the 26th day of June, 2025.

s/ Rachel Hunt
President of the Senate

s/ Destin Hall
Speaker of the House of Representatives

Josh Stein
Governor

Approved _____m. this _____ day of _____, 2025